

The Gazette of India



PUBLISHED BY AUTHORITY

No. 32] NEW DELHI, SATURDAY, AUGUST 12, 1961/SRAVANA 21, 1883

NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 4th August 1961:—

Issue No.	No. and Date	Issued by	Subject
187.	S.O. 1787, dated 28th July, 1961.	Ministry of Steel, Mines & Fuel.	Amendment to Notification No. ISC/AP/62/60, dated 8th November, 1960.
192.	S.O. 1788, dated 28th July, 1961.	Ministry of Commerce and Industry.	Amendment to S.O. 523, dated 26th February, 1950.
193.	S.O. 1789, dated 29th July, 1961.	Election Commission, India.	Amendments in the Delimitation of Parliamentary and Assembly Constituencies Order, 1956, as respects Maharashtra State.
194.	S.O. 1790, dated 29th July, 1961.	Ministry of Information & Broadcasting.	Approval of film specified there in.
195.	S.O. 1791, dated 1st August, 1961.	Election Commission, India.	Calling upon the elected members of the Legislative Assembly of the State of Jammu & Kashmir, to elect a person to fill a vacancy in the Council of States.
	S.O. 1792, dated 1st August, 1961.	Do.	Appointing dates for the election referred to in S.O. 1791 above.
	S.O. 1793, dated 1st August, 1961.	Do.	Designating the Secretary, Jammu and Kashmir Legislative Assembly to be the Returning Officer for the election referred to in S.O. 1791 above.
	S.O. 1794, dated 1st August, 1961.	Do.	Appointing the Deputy Secretary, Jammu and Kashmir Legislative Assembly to assist the Returning Officer for the election referred to in S.O. 1791 above.

Issue No.	No. and Date	Issued by	Subject
196.	S.O. 1795, dated 2nd August, 1961.	Election Commission, India.	Calling upon the elected members of the Legislative Assembly of Orissa State to elect a person to fill a vacancy in the Council of States.
	S.O. 1796, dated 2nd August, 1961.	Do.	Appointing dates for the election referred to in S.O. 1795 above.
	S.O. 1797, dated 2nd August, 1961.	Do.	Designating the Secretary, Orissa Legislative Assembly to be the Returning Officer, for the election referred to in S.O. 1795 above.
	S.O. 1798, dated 2nd August, 1961.	Do.	Appointing the Assistant Secretary, Orissa Legislative Assembly to assist the Returning Officer for the election referred to in S.O. 1795 above.
	S.O. 1799, dated 2nd August, 1961.	Do.	Fixation of hours during which a poll shall be taken, if necessary, for the election referred to in S.O. 1795 above.
197.	S.O. 1861, dated 4th August, 1961.	Do.	Calling upon the elected members of the Legislative Assembly of Orissa State to elect a person to fill a vacancy in the Council of States.
	S.O. 1862, dated 4th August, 1961.	Do.	Appointing dates for the election referred to in S.O. 1861 above.
	S.O. 1863, dated 4th August, 1961.	Do.	Designating the Secretary, Orissa Legislative Assembly to be the Returning Officer for the election referred to in S.O. 1861 above.
	S.O. 1864, dated 4th August, 1961.	Do.	Appointing the Assistant Secretary, Orissa Legislative Assembly to assist the Returning Officer for the election referred to in S.O. 1861 above.
	S.O. 1865, dated 4th August, 1961.	Do.	Fixation of hours during which a poll shall be taken, if necessary, for the election referred to in S.O. 1861 above.
198.	S.O. 1866, dated 4th August, 1961.	Do.	Amendments in the Delimitation of Parliamentary and Assembly Constituencies Order, 1956, as respects the state of Mysore.
199.	S.O. 1867, dated 4th August, 1961.	Do.	Amendments in the Delimitation of Parliamentary and Assembly Constituencies Order, 1956 as respects the State of Gujarat.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

MINISTRY OF HOME AFFAIRS

New Delhi, the 2nd August 1961

S.O. 1872.—In pursuance of clause (1) of article 239 of the Constitution, the President hereby directs that the powers of the Central Government under section 483 of the Delhi Municipal Corporation Act, 1957 (66 of 1957), in relation to the bye-laws providing for any of the matters specified under sub-headings 'F. Bye-laws relating to buildings' and 'K. Bye-laws relating to improvement' of sub-section (1) of section 481 of the said Act shall, subject to the control of the President and until further orders, be exercised by the Chief Commissioner, Delhi.

[No. F. 2/7/61-Judl.II.]

K. R. PRABHU, Dy. Secy.

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 29th July 1961

S.O. 1873.—In exercise of the powers conferred by Sub-Section (I) of Section 5 of the Indian Emigration Act, 1922, the Controller General of Emigration has been pleased to appoint Shri I. V. S. Rao, Public Relations Officer (Passport) in the Regional Passport and Emigration Office, Madras, to perform all the duties of the Protector of Emigrants under the said Act at the port of Madras during the period of absence on leave of Shri K. E. Krishnamachari, with effect from 5th July, 1961.

[No. CPEO/69/61.]

[No. F. 6(21)PV-IV/59.]

N. K. GHOSE, Under Secy.

New Delhi, the 31st July 1961

S.O. 1874.—In pursuance of sub-section (2) of Section 7 of the Port Haj Committees Act, 1932 (XX of 1932), the Central Government is pleased to nominate Shri S. K. B. Wassoodew, Deputy Manager, Hamallage, Bombay Port Trust, Bombay, as a member of the Port Haj Committee, Bombay, vice Shri M. M. Sethna with effect from the 13th March 1961.

[No. F. 32-A(9)WANA/61.]

S.O. 1875.—In pursuance of sub-section (2) of Section 7 of the Port Haj Committees Act, 1932 (XX of 1932), the Central Government is pleased to nominate Shri N. S. Karkarey, I.P.S., Deputy Commissioner of Police, South and Port, Bombay, as a member of the Port Haj Committee, Bombay, vice Shri M. S. Kasbekar, with effect from the 16th June 1961.

[No. F. 32-A(9)WANA/61-A.]

B. C. MISHRA, Dy. Secy.

MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 2nd August 1961

S.O. 1876.—In exercise of the powers conferred by sub-section (2) of section 45 of the Banking Companies Act, 1949, the Central Government hereby extends

the period of moratorium granted by it in respect of the Bank of Citizens Ltd., Belgaum, under the aforesaid sub-section upto and including the 6th October, 1961.

[No. F. 4(78)-BC/61.]

New Delhi, the 3rd August 1961

S.O. 1877.—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1943 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 9 of the said Act shall not apply to the Cochin Nayar Bank Ltd, Trichur in respect of the undernoted properties held by it, till the 15th March, 1962

1. Kumbalam Village—Survey No. 750|1
2. Mattanchery Village—Survey Nos. 147|1, 147|2, 188|0, 172 part, 880|0, 880|1, 890|1, 1219|1-2, 1311|0, 1196, 635|2.
3. Palluruthy Village—Survey Nos. 1177|1, 1202|1, 1203|1-2.
4. Kadamakkudy Village—Survey Nos. 210|0, 786|0, 789|1-2, 3.
5. Chellanam Village—Survey Nos. 953-III part, 253|3.

[No. F. 4(91)-BC/61.]

R. K. SESHADRI, Dy. Secy.

COLLECTORATE OF CENTRAL EXCISE: CALCUTTA AND ORISSA

CENTRAL EXCISE

Calcutta the 22nd July 1961

S.O. 1878.—In exercise of the powers conferred on me by rule 5 of the Central Excise Rules, 1944, I hereby make the following amendments to this Collectorate Notification No. 1/1961 dated 4th April, 1961, namely—

- (i) Substitute the rule "145(b)" for the rule "145(a)" appearing in Column 3 against the entry at Serial No. 1 of the table of the aforesaid notification;
- (ii) Insert the Rule "145(a)" in Column 3 against the entry at Serial No. 2 of the table of the aforesaid Notification.

[No. 3/1961.]

SUBJECT.—*Central Excise—Vegetable Non-Essential Oils—Compounded levy scheme—Maintenance of log book in form R.G. 20—Orders regarding.*

S.O. 1879.—In exercise of the powers conferred upon me by Rule 233 of the Central Excise Rules, 1944, read with Rule 92-C(3) (a) *ibid*, I hereby direct that the manufacturers of vegetable non-essential oil working under Compounded Levy Scheme shall record the following additional informations in R.G. 20.

- (i) In both the Columns of R.G. 20 *viz.* "time of starting the factory" and "time of closing the factory", the meter reading of the electricity at the time of start and closure of the factory shall also be recorded along with the timings.

[No. 4/1961.]

S. P. KAMPANI, Collector.

BOMBAY CENTRAL EXCISE COLLECTORATE

Bombay the 25th July, 1961

S.O. 1880.—In exercise of the powers conferred upon me by Rule 233 of the Central Excise Rules, 1944, read with Rule 51 of the said Rules, I hereby order that all manufacturers and/or assemblers of wireless receiving sets in the Bombay

Central Excise Collectorate should give marks and serial numbers to the wireless receiving Sets manufactured and cleared by them.

[No. CER/233/CX/1/61.]

G. KORUTHU, Collector.

OFFICE OF THE ASSTT. COLLECTOR OF CENTRAL EXCISE,
GOA FRONTIER DIVISION BELGAUM

NOTICES

Belgaum, the 29th July 1961

S.O. 1881.—Whereas It appears that the goods as mentioned in the undermentioned table seized in the vicinity of the Indo-Goa border, were imported by land from Goa (Portuguese possessions in India) in contravention of the Rules and Notifications as mentioned against, each.

Serial No.	Date and place of seizure	By whom detected	Description of goods	Quantity	Rules contravened
1	2	3	4	5	6
130/61	4-4-1961— Amboli S.T. Bus Stand.	Inspector Central, Ex, Flying Squad, Amboli.	(1) Cosmos copying pencils (2) Nail cutters Lion. (3) "Patra" scent-Bottles (Made in-Germany). (4) "Max factor", lip-sticks. (5) Do.. (Face powder (Big size) (6) Do. Face powder (Medium size) (7) Do. Pan Size (8) Film Roll (9) Trunks.	388 Doz. 270 Nos. 84 Nos. 36 Nos. 41 Nos. 11 Nos. 5 Nos. 1 No. 4 Nos.	Section 5(1) of the land Customs Act 1924 & the Govt. of India Ministry of commerce & Industry Import (Control) Order, No. 17/55 dated 7-12-55 issued under Section 3 & 4 A of the Import & Export control Act, 1947 & further deemed to have been issued under Section 19 of the Sea Customs Act 1878.

2. Now, therefore, any person claiming the goods is hereby called upon to show cause to the Asstt. Collector of Central Excise and Land Customs Goa Frontier Division, Belgaum why the above mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act., 1924 read with Section 167(8) and 168 of the Sea Customs Act, 1878, and why a penalty should not be imposed on him under Section 7(1)(c) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878.

3. If such an owner fails to turn up to claim the above mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Government of India, Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10—130/61.]

S.O. 1882.—Whereas it appears that the goods as mentioned in the under-mentioned table seized in the vicinity of the Indo-Goa border, were imported by land from Goa (Portuguese possessions in India) in contravention of the Rules and Notification as mentioned against each.

Serial No.	Date and place of seizure	By whom detected	Description of goods	Quantity	Rules contravened
1	2	3	4	5	6
133/61	23-3-61 In the jungle of Karmal village	"A" Coy Commander S.R.P. Malewadi.	(1) Betelnuts (2) Cloves	Md, Seers 1—38 0—35	Section 5 (1) of the Land Customs Act 1924 & the Govt. of India Ministry of commerce & Industry, Import (Control) Order No. 17/55 dated 7-12-55 issued under Section 3 and 4 A of the Import and Export Control Act 1947 and further deemed to have been issued under Section 19 of the Sea Customs Act., 1878.

2. Now, therefore, any person claiming the goods is hereby called upon to show cause to the Asstt. Collector of Central Excise and Land Customs, Goa Frontier Division, Belgaum why the above mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924 read with Section 167(8) and 168 of the Sea Customs Act, 1878, and why a penalty should not be imposed on him under Section 7(1) (c) of the Land Customs Act., 1924 read with Section 167(8) of the Sea Customs Act, 1878.

3. If such an owner fails to turn up to claim the above mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b) 10-133/61.]

Belgaum, the 31st July 1961

S.O. 1883.—Whereas it appears that the goods as mentioned in the under-mentioned table seized in the vicinity of the Indo-Goa border, were imported by land from Goa (Portuguese possessions in India) in contravention of the Rules and Notifications as mentioned against each.

S. No.	Date & Place of seizure	By whom detected	Description of goods	Quantity]	Rules contravened
1	2	3	4	5	6
166/61	12-5-1961 at "Rayacheped" near Satar-da Village.	S.R.P. staff at Malewadi	1. Betelnuts in 5 gunny bags. 2. Water proof 1 No. bag.	5 Mds 1 No.	Section 5 (1) of the Land Customs Act, 1924, & Government of India, Ministry of Commerce & Industry Import Control Order No. 17/55 dt. 7-12-55 issued under Section 3&4A of the Imports & Exports Control Act, 1947 and further deemed to have been issued under Section 19 of the Sea Customs Act, 1878.

2. Now, therefore, any person claiming the goods is hereby called upon to show cause to the Asstt. Collector of Central Excise and Land Customs, Goa Frontier Division, Belgaum why the above-mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924 read with Sections 167(8) and 168 of the Sea Customs Act, 1878, and why a penalty should not be imposed on him under Section 7(1)(c) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878.

3. If such an owner fails to turn up to claim the above-mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b) 10-166/61.]

E. R. SRIKANTIA, Asstt. Collector.

OFFICE OF THE COLLECTOR OF CENTRAL EXCISE, DELHI

CENTRAL EXCISE

Delhi, the 3rd August 1961

S.O. 1884.—In the table annexed to this Collectorate Notification (Central Excise) issued under S.O. 1318 dated the 3rd June 1961 published in part II Section 3 Sub-Section (ii) of the Gazette of India dated 10th June 1961 (pages 1245 to 1250) the following amendment shall be made:—

(1) The following entry shall be deleted from Columns 2 & 3 against the powers of Assistant Collector & Headquarter's Assistant Collector published at P-1247.

Column 2	Column 3
9—B (2) & 3.	To prescribe the amount of bond or to demand general bond from the manufacturer, Curer or owner of warehoused goods and to prescribe the terms and conditions thereof or to demand additional security or surety in case of amount of bond already executed is found inadequate.

(2) The entry in (1) above shall be added to the powers of Superintendents in Columns 2 & 3 at its appropriate place.

(3) The figure "155" shown against the Licensing Authority in Column 2 published at P-1250 shall be deleted and shown in the same Column against

"Officers who originally accepted bond under Rules 140 and 164 of the Central Excise Rules, 1944".

(4) The following entry shall be added at the end of this notification.

Column 1	Column 2	Column 3
Deputy Collector	..	All powers of a Collector under the Central Excise Rules, 1944, except those relating to Adjudication and appeals, within his jurisdiction extending over the whole of Rajasthan State.

[No. 2/61.]

K. NARASIMHAN, Collector..

COLLECTORATE OF CENTRAL EXCISE, POONA**ERRATA**

In Collectorate of Central Excise, Poona, notification No. CER/4/61, dated 10th May, 1961, published in the Gazette of India Part II—Section 3(ii) dated 1st July, 1961, as S.O. 1500, the following correction is to be made:—

Page 1449, 3rd line of the notification—

For the words "should be shown"

Read "shall show".

MINISTRY OF COMMERCE & INDUSTRY

New Delhi, the 7th August, 1961

S.O. 1885.—The Government of Assam having nominated the Director of Sericulture and Weaving, Government of Assam, Shillong, to be a member of the Central Silk Board under clause (g) of the sub-section (3) of section 4 of the Central Silk Board Act, 1948 (61 of 1948), in place of Shri Rana K. D. N. Singh, Secretary Industries (Sericulture and Weaving) Department, Shillong, the Central Government hereby makes the following amendment in the notification of the Government of India, in the Ministry of Commerce and Industry No. S.O. 799 dated the 7th April, 1961, namely:—

In the said notification, for the entry against serial number 12 the following entry shall be substituted, namely:—

"12. The Director of Sericulture and Weaving, Government of Assam, Shillong."

[No. F. 22/1/61HS(2).]

R. KALYANASUNDARAM, Under Secy.

ORDERS

New Delhi, the 3rd August 1961

S.O. 1886/IDRA/6/6.—In pursuance of Clause (c) of Rule 2 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints Shri A. N. Mukherjee, Deputy Development Officer, Development Wing, New Delhi as the Secretary of the Development Council established by the Order of the Government of India in the Ministry of Commerce and Industry No. S.O. 1055 dated the 6th May, 1961 for the scheduled industries engaged in the manufacture or production of electric fans, electric lamps, electronic equipment, House-hold appliances (such as electric irons, heaters and the like), storage batteries, dry batteries, telephones, telegraph equipment, wireless and communication apparatus, radio receivers including amplifiers and public address equipment, television sets, teleprinters, air conditioners and refrigerators, electricity meters and Panel instruments, with effect from the 6th May, 1961.

[No. 1(6)IA(IV)/60.]

S.O. 1887/IDRA/6/6.—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951, the Central Government hereby appoints Shri T. N. Idnani to be a member of the Development Council established by the Order of the Government in the Ministry of Commerce & Industry No. S.O. 1055 dated the 6th May, 1961 for the scheduled industries engaged in the manufacture or production of electric fans, electric lamps, electronic equipment, house-hold appliances (such as electric irons, heaters and the like), storage batteries, dry batteries, telephones, telegraph equipment, wireless and communication apparatus, radio receivers including amplifiers and public address equipment, television sets, teleprinters, air conditioners and refrigerators, electricity meters and Panel instruments till the 5th May, 1963 and directs that the following amendment shall be made in the said Order, namely:—

In paragraph 1 of the said Order for entry No. 25 relating to Shri S. S. Kumar, the following entry shall be substituted, namely:—

"25. Shri T. N. Idnani, Member (Utilization) Central "Consumers"
Water and Power Commission, Bikaner House,
New Delhi.

[No. 1(6)IA(IV)/60.]

S.O. 1888/IDRA/6/19.—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints Shri G. Ramanujam to be a member of the Development Council established by the Order of the Government of India in the Ministry of Commerce and Industry No. S.O. 769 dated the 28th March, 1961 for the scheduled industries engaged in the manufacture or production of industrial machinery till the 27th March, 1963 and directs that the following amendment shall be made in the said Order, namely:—

In paragraph 1 of the said Order after entry No. 28 relating to Shri K. C. Maitra, the following entry shall be inserted, namely:—

- | | |
|------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| <p>“29. Shri G. Ramanujam, Vice-President,
INTUC, Vengadam, New Scheme
Road, Renganathapuram, Colimba-
tore.</p> | <p>“persons employed in indus-
trial undertakings”</p> |
|------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|

[No. 1(13)IA(IV)/60.]

CORRIGENDUM

New Delhi, the 3rd August 1961

S.O. 1889.—In the Ministry of Commerce & Industry Order No. S.O. 1055 dated the 6th May, 1961 published in Part II Section 3 sub-section (ii) of the Gazette of India dated the 13th May, 1961:—

- | | |
|------------------------------------------------------------------------------------------|----------------------------------------|
| <p>For 22. Shri S. V. Devarajan, 108-F, Krishna Bldgs.,
Avenue Road, Bangalore-2</p> | <p>Technical
Knowledge
Do.</p> |
| <p>Read Shri S. V. Devarajan, 23, Bhagatsingh Market,
New Delhi-1.</p> | |

[No. 1(6)IA(IV)/60.]

J. S. BAKHSI, Under Secy.

(Office of the Chief Controller of Imports and Exports)
(Newsprint Cell)

ORDER

New Delhi, the 3rd August 1961

S.O. 1890.—Whereas M/s. Northern India Printers and Publishers Cooperative Society, Chandwar Gate, Ferozabad (U.P.) or any bank or any other person have not come forward furnishing sufficient cause, against Notice No. 79/Books/1-61/NPCI/1192, dated 17th June 1961 proposing to cancel licence No. A 704501/60/AU/CCI/HQ, dated 10th April, 1961, valued at Rs. 12,780 for the import of glazed newsprint from the specific Rupee account granted to the said M/s. Northern India Printers and Publishers Cooperative Society, Chandwar Gate, Ferozabad (U.P.), by the Chief Controller of Imports and Exports, Maulana Azad Road, New Delhi. Government of India in the Ministry of Commerce and Industry in exercise of the powers conferred by clause-9 of the Import (Control) Order 1955 hereby cancel the said licence No. A 704501/60/AU/CCI/HQ, dated 10th April, 1961 issued to the said M/s. Northern India Printers and Publishers Cooperative Society, Chandwar Gate, Ferozabad (U.P.).

[No. 79/Books/1-61/NPCI.]

A. B. DATAR,

Deputy Chief Controller of Imports and Exports.
for Chief Controller of Imports and Exports.


(Indian Standards Institution)

New Delhi, the 31st July 1961

S.O. 1891.—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955, the Indian Standards Institution hereby notifies that the Standard Mark, design of which together with the verbal description of the design and the title of the relevant Indian Standard is given in the Schedule hereto annexed, has been specified.

This Standard Mark, for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the rules and regulations framed thereunder, shall come into force with effect from 15th August 1961.

THE SCHEDULE

Serial No.	Design of the Standard Mark	Product/Class of Product to which applicable	No. & Title of Relevant Indian Standard	Verbal description of the design of the Standard Mark
(1)	(2)	(3)	(4)	(5)
I		Bicycle Spokes (Plain) with Nipples and Washers	IS: 630-1955 Specification for Bicycle Spokes (Plain) and Nipples for Spokes (<i>Tentative</i>)	The monogram of the Indian Standards Institution, consisting of letters ISI, drawn in the exact style and relative proportions as indicated in column (2) the number designation of the Standard Mark being superscribed on the top side of the monogram as indicated in the design.

[No. MD/17:2.]

S.O. 1892.—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the marking fee per unit for Bicycle Spokes (Plain) with Nipples & Washers details of which are given in the Schedule hereto annexed, has been determined and the fee shall come into force with effect from 15th August 1961.

THE SCHEDULE

Sl. No.	Product/Class of Products	No. and title of relevant Indian Standard	Unit	Marking Fee per Unit
I	Bicycle Spokes (Plain) with Nipples and Washers	IS: 630-1955 Specification for Bicycle Spokes (Plain) and Nipples for Spokes (<i>Tentative</i>)	One gross	2 nP per unit with a minimum of Rs. 1,500-00 for production during a calendar year.

[No. MD/18:2.]

New Delhi, the 2nd August, 1961

S.O. 1893.—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed, have been established during the period 16th July to 31st July 1961.

THE SCHEDULE

Sl. No.	No. and Title of the Indian Standard established	No. and Title of the Indian Standard or Standards, if any, superseded by the new Indian Standard	Brief Particulars
(1)	(2)	(3)	(4)
I	IS: 273-1961 Specification for Picks and Beaters (<i>Revised</i>)	IS: 273-1951 Specification for Picks and Beaters (<i>Tentative</i>)	This standard covers requirements for the three types of picks, two types of beaters and their handles, intended for general use (Price Rs. 3-00).

(1)	(2)	(3)	(4)
2	IS: 1405-1960 Methods of Sampling Iron Ore	..	This standard lays down the procedure to be followed in collecting and preparing samples from a lot in order to determine ore sizes, moisture content and chemical composition of the iron ore in the lot. Sampling of iron ore from stock piles, loaded rail wagons, ships' holds and from conveyer belts have been considered separately (Price Rs. 3.00).
3	IS: 11641-1960 Code of Practice for Fire Safety of Buildings (General): General Principles and Fire Grading	.	This code covers the general principles of fire safety of buildings, fire grading of buildings and general fire safety requirements for structural components in buildings (Price Rs. 10.00).
4	IS: 1544-1960 Code of Practice for Fire Safety of Buildings (General): Personal Hazard	..	This standard lays down the requirements for fire safety of buildings with respect to personal hazard (Price Rs. 6.00).
5	IS: 1708-1960 Methods of Testing Small Clear Specimens of Timber	.	This standard covers methods of testing small clear specimens of timber for static bending, compression parallel to the grain, impact bending, compression perpendicular to the grain, indentation, shear parallel to grain and shrinkage. These tests provide the basic data for comparison of the strength properties of different species of timber (Price Rs. 5.00).
6	IS: 1722-1960 Guide for Specifying Metric Values in Standards	..	This standard is intended to provide guidance to ISI technical committees in resolving technical problems concerned with determining and specifying values in terms of the metric system while preparing new Indian Standards or converting existing Indian Standards to the metric system (Price Rs. 3.50).
7	IS: 1727-1960 Methods of Test for Pozzolan Materials.	..	This standard covers the following tests for pozzolan materials: <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"> <p>(a) Chemical Analysis,</p> <p>(b) Fineness,</p> <p>(c) Soundness,</p> <p>(d) Setting Time,</p> <p>(e) Lime Reactivity,</p> </div> <div style="width: 50%;"> <p>(f) Compressive Strength,</p> <p>(g) Transverse Strength,</p> <p>(h) Drying Shrinkage,</p> <p>(j) Permeability, and</p> <p>(k) Reduction in Alkalinity and Silica Release (Price Rs. 7.00).</p> </div> </div>

(1)	(2)	(3)	(4)
8.	IS: 1742-1960 Code of Practice for Building Drainage	..	This code sets out recommendations for the design, layout, construction and maintenance of drains for foul water, surface water and subsoil water and sewage together with all ancillary works, such as connections, manholes, inspection chambers etc., used within the building and from the building to the connection to a public sewer or to treatment works, a cesspool, a soakaway or a water course (Price Rs. 7.50).
9.	IS: 1749-1961 Specification for Magnesite Refractories for Steel Plants	..	This standard covers the requirements for magnesite refractories for steel plants (Price Re. 1.00).
10.	IS: 1750-1961 Specification for Dead-Burned Pea Magnesite	..	This standard covers the requirements for dead-burned pea magnesite used in steel plants (Price Re. 1.00).
11.	IS: 1751-1961 Specification for Fireclay Cupola Refractories	..	This standard covers the requirements for fireclay cupola refractories (Price Re. 1.00).
12.	IS: 1754-1961 Method for Calibration of Vickers Hardness Testing Machines	..	This standard applies to the calibration of testing machines for determining Vickers hardness (Rs. 1.50).
13.	IS: 1757-1961 Method for Beam Impact Test (V-Notch) on Steel.	..	This standard prescribes the method of conducting the beam impact test (V-notch) on steel (Price Rs. 1.50).
14.	IS: 1777-1961 Specification for Industrial Lighting Fittings with Metal Reflectors	..	This standard covers a range of general type of industrial lighting fittings with metal reflectors for use with incandescent mercury-vapour and fluorescent lamps. Special purpose fittings such as those used in mines, collieries, acidic and dusty atmospheres, etc. are not covered by this standard (Price Rs. 2.00).
15.	IS: 1782-1961 Specification for Cotton Lining Cloth (Warp Faced Satin), Dyed	..	This standard prescribes constructional details and other particulars of cotton lining cloth (warp faced satin), dyed (Price Rs. 1.50).
16.	IS: 1789-1961 Method for Brinell Hardness Test for Grey Cast Iron	..	This standard prescribes the method of conducting Brinell hardness test on grey cast iron (Price Rs. 1.50).

Copies of these Indian Standards are available for sale, with the Indian Standards Institution "Manak Bhavan", 9 Mathura Road, New Delhi-1, and also at its Branch Offices at (i) 232 Dr. Dadabhoy Naoroji Road, Fort, Bombay-1, (ii) Third Floor, 11 Sooterkin Street, Calcutta-13, and (iii) 2/21 First Line Beach, Madras-1.

S.O. 1894.—In exercise of the powers conferred by sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies the issue of errata slips particulars of which are given in column (4) of the Schedule hereto annexed, in respect of the Indian Standards specified in column (2) of the said Schedule.

THE SCHEDULE

Sl. No.	No. and Title of Indian Standard	No. and date of Gazette Notification in which establishment of Indian Standard was notified	Particulars of Errata Slip Issued
(1)	(2)	(3)	(4)
1	IS: 505-1958 Specification for China-Clay for Rubber Industry	S.O. 620 dated 21-3-59	At page 7, clause B-5 3, line 5, the sentence 'Take 100 ml of the solution and further dilute it to 1000 ml' has been added after '1000 ml'.
2	IS: 1316-1958 Method for Detection and Estimation of Damage in Cotton Fabrics due to Micro-Organisms	S.O. 2727 dated 12-12-59	At page 3, clause 4.3(b), line 3, please read 'Old colour Index No. 707, New Colour Index No. 51 190' for 'Colour Index No. 707'.

Copies of these Errata Slips are available, free of cost, with the Indian Standards Institution, 'Manak Bhavan' 9 Mathura Road, New Delhi-1, and also at its branch offices at (i) 232 Dr. Dadabhai Naoroji Road, Bombay, (ii) Third Floor, 11 Sootherkin Street, Calcutta-13, and (iii) 2/21 First Line Beach, Madras-1.

[No. MD/13:6.]

S.O. 1895.—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that amendments to the Indian Standards given in the Schedule hereto annexed have been issued under the powers conferred by sub-regulation (1) of regulation 3 of the said regulations.

THE SCHEDULE

Sl. No.	No. and title of the Indian Standard amended	No. & date of Gazette Notification in which the establishment of the Indian Standard was notified	No. & date of the Amendment	Brief particulars of the Amendment	Date of effect of the Amendment
(1)	(2)	(3)	(4)	(5)	(6)
1	IS: 806-1957 Code of Practice for Use of Steel Tubes in General Building Construction	J.O. 1349 dated 12-7-58	No. 1 June 1961	(i) The existing Table I, at page 5 has been deleted and substituted by a new Table. (ii) The existing Table II, at page 5 & 6, has been deleted and substituted by a new Table.	15th August 1961

(1)	(2)	(3)	(4)	(5)	(6)
				(iii) The existing Table III, at page 6, has been deleted and substituted by a new Table.	
				(iv) The existing Table IV, at page 7, has been deleted and substituted by a new Table.	
				(v) The existing Table V, at page 7 has been deleted and substituted by a new Table.	
				(vi) The existing Table VI, at page 9 has been deleted and substituted by a new Table.	
				The existing sub-sub-clause 6.5.4.1(a), at page 13, has been deleted and substituted by a new clause.	
				At pages 4, 5, 6, 7 & 9, the existing footnote 'Under preparation' has been deleted.	
2	IS:1436-1960 Specification for Weigh-Bridges	S.O. 224 dated 28-1-61	No. 1 July 1961	The existing clause 4.2 has been deleted and substituted by a new clause.	15th August 1961

Copies of these Amendment Slips are available, free of cost, with the Indian Standards Institution, "Manak Bhavan", 9 Mathura Road, New Delhi-1, and also at its branch offices at (i) 232, Dr. Dadabhoy Naoroji Road, Fort, Bombay-1, (ii) Third Floor, 11 Sooterkin Street, Calcutta-13, and (iii) 2/21 First Line Beach, Madras-1.

[No. MD/13:5.]

C. N. MODAWAL,
Deputy Director (Marks).

MINISTRY OF STEEL, MINES & FUEL

(Department of Mines and Fuel)

New Delhi, the 3rd August 1961

S.O. 1896.—In exercise of the powers conferred by sub-section (1) of section 15 of the Coal Mines (Conservation and Safety) Act, 1952 (12 of 1952), read with rule 21 of the Coal Mines (Conservation and Safety) Rules, 1954, the Central Government reconstitutes with effect from the 1st August, 1961, the Advisory Committee on Stowing, which shall consist of the following persons, namely:—

Shri A. Zaman, Chairman, Coal Board	Chairman (nominated by the Coal Board).
Shri G.S. Jabbi, Chief Inspector of Mines	Member
Dr. K. N. Sinha, Officer on Special Duty, Central Mining Research Station, Dhanbad	Member
Shri A.A. Beard, Messrs. Bird & Co. Private Ltd., P.O. Sijua, Dhanbad.	Member
Shri A.A.G. Wier, Messrs. Macneill & Barry Ltd., Calcutta	Member
Shri B.D. Sharma, Messrs. Western Bengal Coal Fields Ltd., Calcutta	Member
Shri B.C. Shah, Messrs. Dendra Bansjora Colliery, P.O. Bansjora, Distt. Dhanbad	Member

(Representatives nominated by the Indian Mining Association).
Representative of the Indian Mining Federation.
Nominated by the Indian Colliery Owners' Association.

The notification of the Government of India in the Ministry of Steel, Mines and Fuel (Department of Mines and Fuel) No. S.O. 1926, dated the 26th July, 1960 will stand superseded with effect from the 1st August, 1961.

[No. C5-4(2)/61.]

A. S. GREWAL, Dy. Secy.

(Department of Mines & Fuel)

New Delhi, the 3rd August, 1961.

S.O. 1897.—In exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), and of all other powers enabling it in this behalf, the Central Government hereby rescinds the notification of the Government of India in the Department of Mines and Fuel (Ministry of Steel, Mines and Fuel) S.O. No. 2121, dated the 15th September, 1959.

[No. C2-24(2)/59.]

New Delhi, the 5th August 1961

S.O. 1898.—Whereas by the notification of the Government of India in the Department of Mines and Fuel (Ministry of Steel, Mines and Fuel) S.O. 2123 dated the 21st September, 1959 under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to prospect for coal in the lands measuring 3110 acres in the locality specified in the Schedule appended to that notification and reproduced in the Schedule appended hereto:

And whereas in respect of the said lands no notice under sub-section (1) of section 7 of the said Act has been given;

Now, therefore, in exercise of the powers conferred by the said sub-section (1) of section 7, the Central Government hereby specifies a further period of one year commencing from the 21st September, 1961 as the period within which the Central Government may give notice of its intention to acquire the said lands or any rights in or over the said lands.

SCHEDULE

(Plan No. HQ/LA/74/59).

Block—"9" Raniganj Coalfield.

Sl. No.	Name of Village	Thana	Thana No.	District	Areas	Remarks
1.	Dashinkhanda	Andal	36	Bhurdwan	899 Acres	Part
2.	Kajora	Andal	41	Bhurdwan	43 Acres	Part
3.	Bhadur	Andal	42	Bhurdwan	301 Acres	Part
4.	Dignala	Andal	43	Bhurdwan	697 Acres	Part
5.	Ramprasadpur	Andal	51	Bhurdwan	366 Acres	Part
6.	Baska	Andal	50	Bhurdwan	460 Acres	Whole
7.	Madanpur	Andal	48	Bhurdwan	14 Acres	Part
8.	Andal	Andal	52	Bhurdwan	100 Acres	Part
9.	Damodar River Block	Bhurdwan	230 Acres	Part
Total				3110 Acres (Approximately)		

Boundary Description:

AB line is the common boundary of villages Baska and Madanpur.

BC line is the common boundary of villages Baska and Palasban.

CD line is the common boundary of villages Dignala and Palasban.

DE line is the common boundary of villages Dignala and Babuisol.

EF line is the common boundary of villages Harishpur and Kajora.

FG line passes along Singram Nala.

GH line is the common boundary of villages Bhadur and Kajora.

HI line is the common boundary of villages Kajora and Dashinkhanda.

IJ line is the common boundary of villages Dashinkhanda and Gaidhoba.

JK line passes through village Dashinkhanda towards South-East.

KL line passes through villages Dashinkhanda, Andal, Bhadur, Dignala towards South-West.

LM line passes through village Dignala towards South-East.

MN line passes through villages Dignala, Ramprasadpur, towards South-West to Damodar River

NO line passes along Damodar River.

OA line passes through village Madanpur.

[No. C2-24(1)/59.]

S. KOTEESWARAN, Under Secy

MINISTRY OF HEALTH

CORRIGENDUM

New Delhi, the 3rd August 1961

S.O. 1899.—In the notification of the Government of India in the Ministry of Health No. S.O. 1524, dated the 26th June, 1961.

(a) under the heading 'AFRICA' for the words "Federation of Rhodesia of Nyasaland" read "Federation of Rhodesia and Nyasaland"; and for the expression "Sudan (South of 15° N)" read "Sudan (South of 15° N)".

(b) insert the following at the end:—

"2. This notification supersedes the Government of India, Ministry of Health notifications No. F. 16-1/54-PH (743-IH/55), dated the 17th October, 1955 and No. 15-1/56-IH (II), dated the 28th February, 1956, as amended from time to time".

[No. F. 14-3/61-IH.]

T. V. ANANTANARAYANAN, Under Secy.

MINISTRY OF TRANSPORT AND COMMUNICATIONS

(Department of Transport)

(Transport Wing)

New Delhi, the 3rd August 1961

S.O. 1900.—In exercise of the powers conferred by sub-section (1) of section 15 of the Merchant Shipping Act, 1958 (44 of 1958), the Central Government hereby appoints Shri R. G. Abbhi, Government Director on the Board of Directors of Indian Shipping Companies, Bombay, as a member of the Shipping Development Fund Committee and makes the following amendment in the notification of the Government of India in the Ministry of Transport and Communications (Department of Transport) No. 33-MS(222)/58-II, dated the 17th March, 1959, namely:—

In the said notification, after item (ii), the following shall be inserted, namely:—

"(lii) Shri R. G. Abbhi, Government Director on the Board of Directors of Indian Shipping Companies, Bombay."

[No. 35-MD(11)/61.]

B. P. SRIVASTAVA, Dy. Secy

(Department of Transport)

(Transport Wing)

MERCHANT SHIPPING

New Delhi, the 3rd August 1961

S.O. 1901.—In exercise of the powers conferred by rule 5 of the Indian Merchant Shipping (Seamen's Employment Office Calcutta) Rules, 1954, the Central Government hereby appoints Shri R. B. Adams as a member representative of the shipowners on the Seamen's Employment Board (Foreign-going) at the

Port of Calcutta in place of Shri M. R. Das, who has since resigned, and makes the following amendment in the notification of the Government of India in the Ministry of Transport and Communications (Department of Transport) No. 15-MT(2)60, dated the 9th November 1960, namely:—

In the said notification for entry No. 8 under I., the following entry shall be substituted:—

“8. Shri R. B. Adams”.

[No. 15-MT(9)60.]

S.O. 1902.—In exercise of the powers conferred by rule 5 of the Indian Merchant Shipping (Seamen's Employment Office, Bombay) Rules, 1954, the Central Government hereby appoint with effect from the date of issue of this notification for a period of two years, the Seamen's Employment Board (Foreign-going) at the Port of Bombay:—

SEAMEN'S EMPLOYMENT BOARD (FOREIGN-GOING)

Members representing Government

1. Director General of Shipping, Bombay,—Chairman
2. Deputy Director General of Shipping, Incharge of Seamen's Employment Offices—Vice Chairman
3. Deputy Commissioner of Labour (Administration), Bombay.
4. Director of Employment, Bombay.
5. Director, Seamen's Employment Office, Bombay—Secretary

Members representing shipowners

6. Shri S. J. Pleded
7. Shri E. A. Jenkins
8. Capt. W. H. Dalton
9. Shri H. M. Desai
10. Shri T. M. Sanghavi

Members representing Seafarers

11. Shri I. B. Syed
12. Shri Moideen Bawa
13. Shri O. C. Mendes
14. Shri I. G. Desai
15. Shri K. K. Khadilkar.

[No. 15-MT(6)/60.]

M. L. GAIND, Dy. Secy.

(Department of Communications and Civil Aviation)

New Delhi, the 2nd August 1961

S.O. 1903.—In exercise of the powers conferred by section 44 of the Air Corporations Act, 1953 (27 of 1953), the Central Government hereby makes the following rules further to amend the Air Corporations Rules, 1954, namely:—

1. These rules may be called the Air Corporations (Amendment) Rules, 1961.

2. In Rule 8 of the Air Corporations Rules, 1954 (hereinafter referred to as the said rules), after the words “the custodian thereof”, the following shall be inserted, namely:—

“ , in such a way that every item of stores, tools and plant shall be verified at least once in two years.”

3. In the said rules, after Chapter IX-A the following Chapter shall be inserted, namely:—

“CHAPTER IX-B

The terms and conditions of service of General Managers and other Categories of Officers

58. B. *Application.*—This Chapter shall apply to the General Managers and the following other officers employed in either of the two Corporations and whose appointments are subject to the approval of the Central Government, namely:—

Air India International Corporation:

1. Deputy General Manager.
2. Financial Controller.
3. Commercial Director.
4. Technical Director.
5. Controller of Stores and Purchases.

Indian Airlines Corporation:

1. Deputy General Manager.
2. Financial Comptroller.
3. Chief Traffic Manager.
4. Engineering Manager.
5. Chief Operations and Training Manager.
6. Controller of Stores.

58. C. *Sources of Recruitment.*—Appointments to the posts referred to in rule 58.B shall be made either by direct recruitment or by promotion of officers employed in either of the two Corporations or by deputation of officers serving under the Central or any State Government.

58. D. *Conditions of Service.*—(1) Officers appointed to the posts referred to in rule 58.B when promoted from either of the two Corporations shall be entitled to the same scales of pay as those prescribed for the posts and shall continue to be governed by the other conditions of service laid down from time to time in the Service Regulations of the Corporation employing them.

(2) Officers recruited directly shall also be governed by the same scales of pay and other conditions of service as those applicable to the promoted officers of the Corporation.

(3) The pay scales and other conditions of service of officers appointed to the above posts on deputation shall be fixed on an *ad hoc* basis having regard to the pay scales and other conditions of service to which they were entitled in their parent departments immediately before their deputation or as may be prescribed in the terms of deputation by the appropriate Government/Department”.

[No. 7-CA(4)/60.]

K. GOPALAKRISHNAN, Dy. Secy.

(Departments of Communications & Civil Aviation)

(P. & T. Board)

New Delhi, the 21st July 1961

S.O. 1904.—In exercise of the powers conferred by sections 25 and 74 of the Indian Post Office Act, 1898 (6 of 1898), the Central Government hereby makes the following notes further to amend the Indian Post Office Rules, 1933, namely:—

1. These rules may be called the Indian Post Office (Fourth Amendment) Rules, 1961.

2. In the Indian Post Office Rules, 1933, for the existing rule 215, the following rule shall be substituted, namely:—

‘215(1) Gratuities shall be payable to the masters of ships, not being mail ships in respect of postal articles and mail bags or other containers

received by them for conveyance on behalf of the Post Office at the following rates, namely:—

	Rs. Np.
Letters and postcards	2.62 per kg.
Packets	0.28 per kg.
Parcels	0.14 per kg.
Mail bags and other containers	0.14 per kg.

- (2) In calculating gratuities payable under sub-rule (1) fractions of a naya paisa not exceeding one-half shall be ignored and fractions of a naya paisa exceeding one half shall be counted as one naya paisa."

[No. 20/5/61-CF.]

S. M. GHOSH, Director (M).

MINISTRY OF SCIENTIFIC RESEARCH AND CULTURAL AFFAIRS

ARCHAEOLOGY

New Delhi, the 1st August 1961.

S.O. 1905.—Whereas by notification of the Government of India in the Ministry of Scientific Research and Cultural Affairs No. F. 4-4/61-C.1, dated 17th April 1961 published in Part II Section 3 sub-section (ii) of the Gazette of India, dated 29th April 1961, the Central Government gave notice of its intention to declare the ancient and historical monument specified in the schedule below to be of national importance:

And whereas no objections have been received to the making of such declaration:

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby declares the said ancient and historical monument to be of national importance.

SCHEDULE

State	District	Tehsil	Locality	Name of monument	Revenue plot numbers to be brought under protection.	Area	Boundaries	Ownership	Remarks.
1	2	3	4	5	6	7	8	9	10
Tripura	Tripura	Kailashahar	Unakuti Range	Sculptures and rock-cut reliefs of the Unakoti-tirtha.	..	150 acres	North:—Bagaichara East:—Belkom Range South:—Lakshmi Tuisama Chara West:—Lakshmi Tuisama Chara	Khas-land	(i) The area is unsurveyed. (ii) Some of the images are in worship.

[No. F. 44/61-C.1.]

New Delhi, the 4th August 1961

S.O. 1906.—Whereas by notification of the Government of India in the Ministry of Scientific Research and Cultural Affairs No. F. 4-7/61-C.1, dated 7th April 1961 published in Part II Section 3 sub-section (ii) of the Gazette of India, dated 22nd April 1961, the Central Government gave notice of its intention to declare the ancient and historical monument specified in the Schedule below to be of national importance:

And whereas no objections have been received to the making of such declaration:

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act 1958 (24 of 1958), the Central Government hereby declares the said ancient and historical monument to be of national importance.

SCHEDULE

State	District	Tahsil	Locality	Name of Monument	Revenue Plot Number to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10
Punjab	Mahendragarh	Narnaul	Narnaul	Jal Mahal and adjacent land comprised of Khasra Nos. 5519, 5520, 5521, 5522, 5523, 5524, 5525, 5526, 5527, 5528 and 5529.	Whole of Khasra Nos. 5519, 5520, 5521, 5522, 5523, 5524, 5525, 5526, 5527, 5528 and 5529.	40 bighas, 13 biswas.	North: Khasra No. 5616 East: Khasra No. 5613 South: Khasra Nos. 5512, 5518, 5517, 5516, 5408, 5532, 5530. West: Khasra No. 5312.	Khasra State Government.	The monument is not in religious use.

[No F. 4-7/61-C.1.]

CORRIGENDUM**ARCHAEOLOGY***New Delhi, the 4th August 1961*

S.O. 1907.—In the schedule to the notification published as S.O. No. 1591 on pages 1552—1554 in Part II Section 3(ii) of the Gazette of India of 8th July 1961, the following correction is notified:—

Under Column 7—

For the words and figures "1630 Acres" Substitute—
"16.30 Acres".

[No. F. 4-12/61-C.1.]

T. S. KRISHNAMURTI, Dy. Secy.

MINISTRY OF EDUCATION*New Delhi, the 2nd August 1961*

S.O. 1908.—In exercise of the powers conferred by clause (b) of sub-section (2) of Section 5 of the University Grants Commission Act, 1956, read with sub-section (3) of Section 3 of the said Act, the Central Government has been pleased to appoint with immediate effect Shri S. Bhoothalingam, Secretary, Ministry of Finance (Department of Expenditure), Government of India, as a member of the University Grants Commission *vice* Shri N. N. Wanchoo who has ceased to be a member thereof under item (xi) of Rule 5 of the University Grants Commission (Disqualification, Retirement and Conditions of Service of Members) Rules, 1956.

[No. F. 24-52/61.U-5.]

P. N. KIRPAL, Secy.

MINISTRY OF REHABILITATION**(Office of the Chief Settlement Commissioner)***New Delhi, the 1st August 1961*

S.O. 1909.—In exercise of the powers conferred by Sub-Section (i) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950) the Central Government hereby appoints for the State of Punjab, Shri Rajwant Singh Jaljee, Managing Officer in the office of the Custodian of Evacuee Property, Punjab, Jullundur as Assistant Custodian for the purpose of discharging the duties imposed on Custodian by or under the said Act with effect from the date he took over charge of his office.

[No. XIII(30)Prop(Admn.)/57.]

New Delhi, the 5th August 1961

S.O. 1910.—In exercise of the powers conferred by Sub-Section (i) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoints for the States of Bihar and Orissa, Shri G. P. Jaggi, Managing Officer in the Office of the Regional Settlement Commissioner, Patna as Assistant Custodian for the purpose of discharging the duties imposed on Custodian by or under the said Act with effect from the date he took over charge of his office.

[No. XV(56) Admn (Prop)/57/ARG.]

S.O. 1911.—In exercise of the powers conferred by clause (a) of sub-section (2) of Section 16 of the Displaced persons (Compensation and Rehabilitation) Act (44 of 1954), the Central Government hereby appoints Shri G. P. Jaggi, Managing Officer in the office of the Regional Settlement Commissioner, Patna for the States of Bihar and Orissa as Managing Officer for the Custody, management and disposal of compensation pool with effect from the date he took over charge of his office.

[No. XV(56) Admn (Prop)/57/ARG.]

M. J. SRIVASTAVA,

Settlement Commissioner (C) & Ex-Officio Under Secy.

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 2nd August 1961

S.O. 1912.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Arbitrator in the industrial dispute between the employers in relation to the Travancore Titanium Products Limited, Kochu Vell, Trivandrum and their workmen represented by the Titanium Workers' Union, Kochu Vell, Trivandrum.

AWARD

A dispute arose between the management of the Travancore Titanium Products Ltd., and their workmen represented by the Titanium Workers' Union, regarding the claim for increments preferred by worker Shri L. Solomon, W. No. 116, Boiler Attender. A negotiated settlement of the dispute could not be brought about as there was keen divergence of opinion between the parties and therefore they ultimately agreed to have it referred to my arbitration. The matter was then referred to the Government of India which was responsible for the handling of industrial relations in this establishment. The Government of India by an order dated 9th June, 1961, under Section 10A of the Industrial Disputes Act 1947 published the aforesaid arbitration agreement. On receipt of the above order, I issued notices to the parties and a joint meeting was held on 3rd July, 1961 when preliminary discussions were carried on about the dispute. The parties then undertook to submit statements in respect of their contentions.

On 17th July, 1961, I held another meeting of the parties and heard them in extenso and perused the records.

The specific matter in dispute according to the Union is about the claim of Shri Solomon for certain increments which have been unjustifiably withheld by the management. The Union stated that Shri Solomon entered the service of the establishment on 29th July, 1950 as a Fitter and continued to discharge his duties satisfactorily. In 1955 a vacancy of a Boiler Attender occurred in the establishment and as Shri Solomon was qualified for the post he was appointed on probation with effect from 15th December, 1955. The initial salary of the Boiler Attender was Rs. 60/- at that time with an annual increment of Rs. 3/-. Although Shri Solomon was entitled to get the minimum of the scale he was given only Rs. 55/-. On the satisfactory completion of his probation Shri Solomon was confirmed on the post with effect from 1st July, 1956. In the usual course the employees of the establishment would get an annual increment on the 1st of January every year and in conformity with that practice Shri Solomon should have got his first annual increment on 1st January, 1957. But the management did not grant him the increment on the above date. Shri Solomon was actually given an increment only on 1st January, 1958 while according to the Union, he should have got one increment on 1st January, 1957 and another on 1st January, 1958 raising his salary to Rs. 63/- and Rs. 66/- respectively. To add to the above injustice it was alleged that Shri Solomon was denied the full benefit of a general revision of the salaries of the employees consequent to an agreement entered into between the management and the Union on 17th December, 1958. This agreement stipulated that the scale of pay of Boiler Attenders would be Rs. 60—4—80—5—105—EB—5.50—132.50 with a further provision that such of those persons who had put in more than 4 years of service would get two increments in the revised scale. If this agreement had been correctly implemented in the case of Shri Solomon, he would have got his salary raised to Rs. 76/- on 1st November, 1958, Rs. 80/- on 1st January, 1959, and Rs. 85 on 1st January, 1960, and Rs. 90 on 1st January 1961. But as a matter of fact he was actually granted only Rs. 72/-, Rs. 76/-, Rs. 80/- and Rs. 85/- respectively during those years. The Union's case is that the management has unjustifiably withheld the increments due to Shri Solomon and thereby causing him avoidable financial loss.

The management in its counter-statement has contravened the arguments advanced by the Union. The management maintained that at the time of appointment as Boiler Attender Shri Solomon was drawing only a salary of Rs. 47/- and that he was given a salary of Rs. 55/- to start with. Thus he was really benefitted on account of his promotion. The management admitted that the accepted practice followed in the establishment was to grant increments to all employees on the 1st of January every year and that this increment was allowed only to such of those persons who had put in one year of service. But of course, there had been deviations from this rule in that some persons who had not put in one year of service were granted increments while some others had been denied such increments. In the past there were no fixed scales of pay for the employees and the

grant of adhoc increment was the conventional practice. Because Shri Solomon had not put in one year of service the management felt that he was not entitled to get the usual annual increment. The management also substantiated its argument with the citation of a few instances in which increments were denied under similar circumstances.

The crucial question for consideration here is whether Shri Solomon was entitled to get an increment on 1st January, 1957 and if it were so his pay would have been as follows:—

	Rs.
I—I—1957	63.
I—I—1958	66.
I—II—1958	76. (due under the agreement)
1959	80
1960	85
1961	90

The salary actually granted is given below:—

I—I—1957	60
I—I—1958	63
I—II—1958	72
1959	76
1960	80
1961	85

The main argument of the management for denying one increment on 1st January, 1957 was that he had not put in one year of service. I am inclined to believe that this argument is not sustainable and there is no point in having ignored his period of probation for the purpose of calculating increments. While a person has been appointed to a particular post in the normal course he should have been given the minimum salary of the post. Therefore Shri Solomon should have been given the minimum of Rs. 60/- when he was posted as Boiler Attender whatever might have been his previous salary. Subsequently after his confirmation when the usual increments were granted on 1st January, 1957, he should legitimately have been given the increment as in the case of all his compeers. The argument that he had not put in one year of service has no substance since increments used to be granted not on the basis of any incremental scale of pay but as an adhoc arrangement for the entire establishment. It may be that at that time there was no definite provision for fixing the minimum salary or the incremental scales of the employees. Even so what was required was not to make such exceptions which might smack of discrimination. Whatever it be, to have denied Shri Solomon the increment granted to other employees does not seem to be correct. Further the contention of the management that subsequent to the agreement dated 17th December, 1958, the Union was estopped from raising this dispute does not also hold good because there is no provision in the agreement evidencing the relinquishment on the part of the Union of the right to raise such claims.

On a consideration of the relevant facts I have no hesitation to hold that there is ample force in the argument advanced by the Union and that the employee has a legitimate grievance against the withholding of his increments. I would therefore point out that it would be incorrect on the part of the management to deny the increments due to Shri Solomon. In the result I would suggest that the increments due to him should be granted as specified below and arrears for which he is eligible for on this score, may also be paid to him:—

	Rs.
I—I—1957	63
I—I—1958	66
I—II—1958	76 (due under the agreement)
1959	80
1960	85
1961	90

TRIVANDRUM,

July 22, 1961.

(Sd.) A. KUNJUKRISHNA PILAI,

[No. 23/30/61-LRII.]

New Delhi, the 3rd August, 1961

S.O. 1913.—In exercise of the powers conferred by section 14-A, of the Industrial Employment (Standing Orders) Act, 1946 (20 of 1946), the Central Government hereby directs that the Lieutenant Governor, Himachal Pradesh, the Chief Commissioner Delhi, the Chief Commissioner, Manipur and the Chief Commissioner, Tripura, shall also exercise the powers and discharge the functions of the State Government under the said Act except section 15 thereof, within their respective jurisdictions.

[F. No. 23/10/61-LRI.]

ORDERS

New Delhi, the 2nd August 1961

S.O. 1914.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Datta's Central Kajora Colliery and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act

SCHEDULE

Whether the cessation of work of Shri Ramtahal Bouri, Underground Trammer from 31st May, 1961, from Datta's Central Kajora Colliery, Post Office Kajoramgram, Burdwan is due to the fault of the management. If so, to what relief is he entitled?

[No. 2/163/61-LRII.]

New Delhi, the 5th August 1961

S.O. 1915.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Majri Colliery and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of Majri Colliery is justified in not paying the wages laid down in the Award of the All India Industrial Tribunal (Colliery Disputes) as modified by the Decision of the Labour Appellate Tribunal to Sarvashri Muka Ramdayal and Shivram Kisan, who have been engaged for supplying water to the Officers' and Staff Quarters. If not, what relief should be given to them?

[No. 2/138/61-LRII.]

S.O. 1916.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Khas Chhalbapur Colliery and their workmen in respect of the matters specified in the Schedule hereto annexed,

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Consequent on the stoppage of work by the management of the third shift, as a temporary measure, with effect from the 15th June 1961, whether the management is justified:

- (i) in forcing 28 permanent workmen mentioned in Appendix I below to proceed on leave; and
- (ii) in terminating the services of 23 temporary workmen mentioned in Appendix II below;

with effect from the aforesaid date.

2. If not, was the management justified in not absorbing any of these workmen in suitable alternative jobs in the remaining two shifts?

3. What relief are these workers entitled to?

APPENDIX I

1. Shri Ramswaroop Gope,—Underground Trammer.
2. Shri Butai Rajwar,—Underground Trammer.
3. Shri Govind Rajwar,—Underground Trammer.
4. Shri Bisundeo Ram,—Underground Trammer.
5. Shri D. Dwarik Ram,—Underground Trammer.
6. Shri Ch. Karo Rajwar,—Underground Trammer.
7. Shri Ch. Sriram,—Underground Trammer.
8. Shri Sita Mahato,—Underground Trammer.
9. Shri Dukhi Dusad,—Surface Trammer.
10. Shri Panwa Bhuiyan,—Surface Trammer.
11. Ramachal Misra,—Coal Cutting Machine Helper.
12. Shri Yogindra Singh,—Coal Cutting Machine Helper.
13. Shri Debi Shaw,—Coal Cutting Machine Helper.
14. Shri Tulshi Ram,—Driller.
15. Shri Anik Ram,—Driller.
16. Shri Somor Singh,—Fitter Helper.
17. Shri Ramballi Singh,—Fitter Helper.
18. Shri Jiccha Shaw,—Onsetter.
19. Shri Rambilash Singh,—Banksman.
20. Shri Siba Bowri,—Timber Mazdoor.
21. Shri Adya Prasad Tewari,—Winding Engine Khalashi.
22. Shri Sisir Hazra,—Pit Sircar.
23. Sukumar Banerjee,—Explosive Carrier.
24. Shri Netai Dome,—Line Mistry.
25. Shri Panchanan Roy,—Haulage Khalashi.
26. Shri Gulram Gope,—Empty Tub Pusher.
27. Shri Harishankar Joshi,—Pump Khalashi.
28. Shri Anadi Laik,—Pump Khalashi.

APPENDIX II

1. Shri Manik Ram,—Underground Trammer.
2. Shri Mangal Bowri,—Switch man.
3. Shri B. K. Mishra,—Pump Khalashi.
4. Shri Ramjatan,—Empty Tub Pusher.
5. Shri Radhey,—Empty Tub Pusher.
6. Shri Sochan Ravidas,—Empty Tub Pusher.
7. Shri Baleswar,—Empty Tub Pusher.
8. Shri Chandraballi Jha,—Underground Trammer.

9. Shri Lallo Yadav,—Underground Trammer.
10. Shri Bankey Dharl,—Underground Trammer.
11. Shri Dharamdas,—General and Bailing Mazdoor.
12. Shri Anath,—General and Bailing Mazdoor.
13. Shri Suresh Jha,—General and Bailing Mazdoor.
14. Shri Baijnath Pathak,—General and Bailing Mazdoor.
15. Shri Sadanand Jha,—General and Bailing Mazdoor.
16. Shri Tetar Keot,—Surface Trammer.
17. Shri Baijnath Keot,—Surface Trammer.
18. Shri Bhutkun Das,—Surface Trammer.
19. Shri Sitaram Yadav,—Surface Trammer.
20. Shri Govin Keot,—Surface Trammer.
21. Shri Ritla Kcotin,—Surface Trammer.
22. Shri Shyamlal Keot,—Surface Trammer.
23. Shri Nunbatl Dusadhin,—Surface Trammer.

[No. 1/34/61-LR II]

New Delhi, the 8th August 1961

S.O. 1917.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Singareni Collieries Company Limited and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

SCHEDULE

Whether the action of the management of the Singareni Collieries Company Limited, Kothagudum, in having reduced the number of paid holidays of the workmen of the medical and sanitary departments of the Company from 23½ to 10 from 1st July, 1957 was justified and if not, to what relief the employees are entitled?

[No. 1/97/60-LR II.]

A. L. HANDA, Under Secy.

New Delhi-2, the 3rd August, 1961

S.O. 1918.—In pursuance of section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the following award of the Labour Court, Delhi, in the matter of an application under section 33A of the said Act from Shri S. Nagesh Kamath, ex-employee of the Canara Bank Limited.

BEFORE THE CENTRAL GOVT. LABOUR COURT AT DELHI**PRESENT:**

Shri E. Krishna Murti, Central Government, Labour Court, Delhi

13th July, 1961

O. P. No. 45 of 1961 & I. D. No. 199 of 1961

O. P. No. 45 of 1961

Application U/S. 33(2) (b) of the Industrial Disputes Act, 1947.

The Canara Bank Ltd., Administrative Office, 110-112 Silver Jubilee Park Road, Bangalore-2—*Applicant.*

Vs.

Shri S. Nagesh Kamath, Asstt. Accountant, House No. 2-267, Bijai Kavoor Road, Bijai, Mangalore-4—*Opposite Party.*

In the matter of Ref. No. 1 of 1960, Pending before the National Industrial Tribunal (Bank disputes) Bombay-1.

AND

I. D. No. 199 of 1961

Application U/S. 33A of the Industrial Disputes Act, 1947.

Shri S. Nagesh Kamath, House No. 2-267, Bejai Kavoor Road, Mangalore-4
Temporarily residing at Room No. 21, Ebrahim Mansion, Suparibaug Road, Parel,
Bombay-12—*Applicant*.

Vs.

The Canara Bank Limited, Light House Hill, Mangalore, South Kanara
District—*Opposite Party*.

In the matter of Ref. No. 1 of 1960, Pending before the National Industrial
Tribunal (Bank Disputes) Bombay-1.

Sarvashri R. K. Ghotgalkar, C. W. Tilve & M. Ram Mohan Rao for the
management.

Shri S. Nagesh Kamath workman in person.

AWARD

O. P. No. 45 of 1961

This is a petition under Section 33(2)(b) of the Industrial Disputes Act.

2. The petitioners, The Canara Bank Limited, allege, that the opposite party, Shri Shibrur Nagesh Kamath was Assistant Accountant in Hampankatta Mangalore Branch, that he was suspected of having forged four withdrawals in the matter of accounts totalling Rs. 1200/-, that he was also suspected of having removed one of such withdrawal forms with a view to destroy the evidence appearing against him, that, after investigation a charge-sheet was served against him, that an explanation was called for, that an enquiry was held, that the Enquiry Officer reported, that the charges were proved, that the Bank dismissed the workman on account of grave misconduct, and that the action of the Bank may be approved.

3. The contention on behalf of the workman is, that the conditions of service applicable to him before the commencement of the main dispute (Reference No. 1 of 1960 before the National Tribunal) have been altered to his prejudice, that the opposite party filed a complaint under Section 33A with regard to the action taken, with a view to setting aside the order of dismissal, and for directing the Bank to re-instate him in service, that he is not guilty in the manner contended, that there was no fair and reasonable enquiry, that he was not guilty of any misconduct, that the evidence on record is not sufficient to prove the charges levelled against him, that the findings are perverse, and that the approval, asked for, should not be granted.

4. The point for decision is:—

Whether approval should be given to the action of the management?

I. D. No. 199 of 1961.

5. This is an application under Section 33A of the Industrial Disputes Act.

6. It is alleged on behalf of the petitioner, that between September, and December, 1958, some withdrawals were presented and encashed in respect of two Savings Bank accounts at the Hampankatta Branch of the Canara Bank, that the Deputy General Manager came to the Bank, and took down certain statements, and also the specimen hand-writing of some of the employees of the said Bank, that the petitioner was served with a charge-sheet in January, 1959, that he was also placed under suspension, that a departmental enquiry was started against him, that there was no fair and proper enquiry, that the conduct of the enquiry is against the principles of natural justice, that the Enquiry Officer came to a perverse finding, that the workman was ordered to be dismissed, that such dismissal is not lawful, and is liable to be set aside, that the applicant should be paid compensation, that the applicant took part in a strike in November, 1955, that since then the respondent had an evil eye upon him, that the Bank had filed a petition for approval under Section 33, that it is mis-conceived, that the said application should be dismissed, that the order of dismissal passed against the petitioner should be set aside, and that the Bank should be directed to re-instate the petitioner together with full back wages.

7. The contention on behalf of the opposite party the Bank, is, that the petition filed by the workman is not maintainable, that there is no contravention of the provisions of Section 33, that the action taken by the Bank does not attract the provisions of Section 33(1), or 33(3) of the Industrial Disputes Act, that the action taken against the petitioner falls only within the purview of Section 33(2)(b) of the Act, that the Bank has complied with the provisions of law, that there is accordingly no contravention, that with respect to the merits of the dispute, the withdrawals in question were got made on four withdrawal forms, that after elaborate enquiry it was found, that forgeries had been committed by the petitioner, that it is not true, that Shri Shibrur Nagesh Kamath was innocent of the charges levelled against him, or that he was made a victim of personal prejudice against him, that there was a fair and proper enquiry, that the enquiry was in accordance with the principles of natural justice, that the allegation, that the Bank had an evil eye upon the petitioner because he participated in a strike in 1955, is without any basis, that, on the contrary, the petitioner was promoted as Assistant Accountant in the year 1957, that the evidence also shows, that Shri Shibrur Nagesh Kamath was not even a member of any union, that there has been no alteration of service conditions to the prejudice of the petitioner, that the petitioner is not entitled to have the dismissal order set aside, and that he is not entitled to re-instatement or to any other relief.

8. The issues for determination are:—

- (1) Whether there has been a contravention of Section 33 of the Industrial Disputes Act?
- (2) Whether the petition is maintainable under Section 33A of the Industrial Disputes Act?
- (3) Whether the dismissal of Shri Shibrur Nagesh Kamath is wrongful, as alleged by him?
- (4) To what relief, if any, is the petitioner entitled?

Issues No. 1 and 2 in I.D. No. 199 of 1961

9. The petition O.P. No. 45 of 1961 has been filed by The Canara Bank Limited, the petitioner therein under Section 33(2)(b) of the Industrial Disputes Act. This is for approval of the action taken by the Bank in terminating the services of Shri Shibrur Nagesh Kamath, the respondent therein. The latter has filed the petition, I.D. No. 199 of 1961 under Section 33A of the Industrial Disputes Act, calling in question the validity of the dismissal order passed by the Bank, and it is prayed therein, that he should be re-instated in service, together with back wages.

10. In I.D. No. 199 of 1961 the management of the Canara Bank have taken the preliminary objection, that the said petition under Section 33A is not maintainable, because there is no contravention of Section 33 in any manner whatsoever. It is well settled, that no petition can be filed under Section 33A unless there is a contravention of Section 33. This is clear from the opening words of Section 33A. In the decision in *Equitable Coal Limited Vs. Algu Singh and another* (1958 I LLJ 793) the following observations occur at page 795:—

“If the employer contravenes the provisions of S. 22, the employee is entitled to make a complaint in writing in the prescribed manner to the Appellate Tribunal and, or receiving such complaint, the Appellate Tribunal has to decide the complaint as if it is an appeal pending before it. The breach of the provisions of S. 22 by the employer is in a sense condition precedent for the exercise of the jurisdiction conferred on the Labour Appellate Tribunal by S. 23. As soon as this condition precedent is satisfied, the employee is given an additional right of making the employer's conduct the subject-matter of an industrial dispute without having to follow the normal procedure laid down in the Industrial Disputes Act. In an enquiry held under S. 23, two questions fall to be considered: Is the fact of contravention by the employer of the provisions of S. 22 proved? If yes, is the order passed by the employer against the employee justified on the merits? If both these questions are answered in favour of the employee, the Appellate Tribunal would no doubt be entitled to pass an appropriate order in favour of the employee. If the first point is answered in favour of the employee, but on the second point the finding is, that, on the merits, the order passed by the employer against the employee is justified, then the breach of S. 22 proved against the employer may ordinarily be regarded as a technical breach and it may not, unless there are compelling facts in favour of the

employee, justify any substantial order of compensation in favour of the employee. It is unnecessary to add that, if the first issue is answered against the employee, nothing further can be done under S. 23."

Even though the said observations were made with reference to Sections 22 and 23 of the Industrial Disputes (Appellate Tribunal) Act, the observations apply with equal force to a consideration of Sections 33 and 33A of the Industrial Disputes Act. The decision in Lord Krishna Textile Mills (1961 I LLJ 211) is also important. It will thus be seen, that the question of contravention of Section 33 goes to the root of the matter and the question is one of jurisdiction to proceed with an application under Section 33A. The Bank has insisted, that this question of jurisdiction and maintainability of the application under Section 33A should be decided as a preliminary issue, *vide* memo. filed by the Bank, dated the 12th July, 1961.

11. The preliminary question, therefore, for determination is, whether there is a contravention of Section 33 of the Industrial Disputes Act, whether the petition I.D. No. 199 of 1961 is maintainable and whether this Tribunal has jurisdiction to proceed with the same. It is necessary to bear in mind the provisions of Section 33(2)(b), which provides, that the management should apply for approval of their action and also pay one month's wages, in case of dismissal or discharge of an employee, for misconduct unconnected with the dispute. The management have filed the application O.P. No. 45 of 1961. It is also clear from the record, that this petition, which is dated, the 3rd April, 1961, was sent to the National Industrial Tribunal on that day, i.e. the date from which the dismissal was to take effect. This is in accordance with the decision in Premier Automobiles (1960 I LLJ 443). There is no dispute of the fact, that one month's wages were also tendered to the workman in accordance with the provisions of Section 33(2)(b). Therefore, the Bank did comply with the provisions of Section 33(2)(b) when dismissing the workman. If so, I fail to see, how there is contravention of Section 33. The management filed the necessary application for approval in accordance with the terms of Section 33(2)(b), and complied with the requirements of that section. In these circumstances, it is clear, that there is no contravention of Section 33.

12. The contention however on behalf of the workman is that the Bank should have applied for previous permission in accordance with Section 33(1), and should not have filed a petition for approval after passing an order of dismissal of the workman. What is contended before me on behalf of the workman is, that he was dismissed for misconduct connected with the dispute. I fail to see, how it can be contended, that the misconduct, for which he was dismissed, is connected with the dispute. The terms of reference to the National Tribunal are wide and general in their terms. The fact, that there is a term of reference relating to the procedure for taking disciplinary action against an employee, cannot be held to mean, that Shri Shibrur Nagesh Kamath was dismissed on account of misconduct connected with the dispute. It is perfectly obvious, that Section 33(1) has no application to the facts of the case, and the Bank was not obliged to seek prior permission of the Tribunal to proceed against the workman.

13. Neither is there any force in the contention, that Section 33(3) applies to the facts of this case. The workman is not a protected workman within the meaning of that Section. On the contrary, Ext. M/5, which is filed in O.P. No. 45 of 1961, shows, that he was not even a member of the union. It is perfectly clear, that Section 33(1) and Section 33(3) have no application to the facts of this case. The Bank has done whatever was obligatory under Section 33(2)(b) which alone applies to the facts of the case to be done, and filed a petition for approval thereunder, and also tendered one month's wages to the workman. Therefore, there is no contravention of Section 33 in any manner whatsoever, and it follows, that I.D. No. 199 of 1961 is not maintainable under Section 33A.

Issues No. 3 and 4 in I.D. No. 199 of 1961.

14. In view of my finding, that there is no contravention of Section 33, it is clear, that nothing more can be done in I.D. No. 199 of 1961, as is clear from the decision of the Supreme Court, referred to above. No questions, regarding the merits and validity of the alleged dismissal, arise herein, and they cannot be gone into in this petition. I find, that there is no contravention of Section 33, that the petition, I.D. No. 199 of 1961 is not maintainable under Section 33A, and that this Tribunal has no jurisdiction to proceed with the merits of the dispute in this petition. All questions regarding the merits of the dispute and the validity and legality of dismissal do not arise in this proceeding, and are not decided, and are left open.

O.P. No. 45 of 1961

15. I shall next deal with the application of the Bank under Section 33(2)(b) of the Industrial Disputes Act.

16. According to the case of the Bank, Shri Shibrur Nagesh Kamath was Assistant Accountant in Hampankatta Mangalore Branch. He was suspected of having forged four withdrawals in relation to the accounts of two savings bank depositors, Shri B. Cherdappa Naik, and Mrs. I. Nazareth. It was found, that the total amount of Rs. 1,200 had been withdrawn from the savings bank accounts of these two depositors. Shri S. Nagesh Kamath was also suspected of having removed one of the withdrawal forms, with a view to destroy the evidence appearing against him. There was investigation by the Bank, and the workman was served with the charge-sheet, Ext. M/1. The charge was, that on 5th August, 1958 a withdrawal dated 5th September, 1958 for Rs. 300.00 was presented for payment from out of the savings bank account of Shri B. Cherdappa Naik. Again on 20th September, 1958 a withdrawal form dated 20th September, 1958 for Rs. 300 was presented for payment against the account of the same person. The amounts were received by some unidentified person. On 4th December, 1958 a withdrawal dated 4th December, 1958 for Rs. 300.00 was presented against the savings bank account of Mrs. I. Nazareth. Again on 15th December, 1958 a withdrawal dated 15th December, 1958 for Rs. 300.00 was presented for payment against the savings bank account of Mrs. I. Nazareth, and payment was made to an unidentified person. The workman was charged, that all the four savings bank withdrawals were forged ones, that the Bank had grounds to believe, that Shri S. Nagesh Kamath had filed each of the withdrawal forms and forged the signatures of the depositors with a view to defraud the Bank, and that he was guilty of gross misconduct. He was also charged, that the withdrawal form of Rs. 300.00, dated the 15th December, 1958, on the account of Mrs. I. Nazareth had been removed by him, with a view to destroy the evidence of his misconduct. He was asked to give an explanation. The workman was placed under suspension, and Ext. M/2 is the order of suspension, dated the 20th January, 1959. The workman's explanation is Ext. M/3. Therein he alleged, that he had nothing to do with the alleged forgeries, and that he denied the charges against him, and that he considered the charge to be a serious affront to the long and faithful service, which he had rendered to the Bank. Ext. M/4 is a letter, that was written on behalf of the Bank to the General Secretary, Canara Bank Employees' Union, intimating, that an enquiry had been started into the alleged misconduct of Shri S. Nagesh Kamath, and that the Bank should be informed, whether the Union would like to defend Shri Kamath at the enquiry. Ext. M/5 is the reply of the Union dated the 11th April, 1958, declining to defend Shri S. Nagesh Kamath. On the Union declining to defend Shri Nagesh Kamath, the management permitted him to be defended by a lawyer in the circumstances of the case, and Ext. M/6 is a copy of the note of the Supervising Director according such permission. It is admitted, that Shri T. S. Pai, Advocate, Mangalore, defended Shri Nagesh Kamath at the domestic enquiry.

17. The two questioned withdrawal forms, bearing the alleged signatures of Shri B. Cherdappa Naik are Exts. M/8 and 9. Ext. M/10 is the withdrawal form containing the genuine signature of the above named depositor, and Ext. M/11 is the specimen signature card. Likewise Ext. M/13, dated the 4th December, 1958 is the withdrawal form for Rs. 300.00 alleged to bear the signature of Mrs. I. Nazareth. The other withdrawal form for Rs. 300.00, dated 15th December, 1958 is said to be missing, and is not on record. Ext. M/12 is a genuine withdrawal form for Rs. 500.00, and this is admitted to be signed by Mrs. Nazareth. It is admitted before me, that the words "five hundred" in Ext. M/12 were written by Shri Kamath. Exts. M/14-17 contain the admitted signatures of Mrs. Nazareth. Ext. M/18 is the account opening form dated the 31st January, 1958, containing the admitted signature of Mrs. Nazareth. Ext. M/19 is the specimen signature card relating to her. Ext. M/20 is the pass-sheet of Mrs. Nazareth, and it shows, that the two disputed withdrawals in question were debited to her account.

18. It is proved from the evidence, that a letter was sent on behalf of Shri B. Cherdappa Naik, objecting to the two withdrawals in question, and Ext. M/38 is the letter of the Advocate, Shri D. Mohan Rao, to the Bank. Ext. M/39 is a letter of Mrs. Nazareth, objecting to the two withdrawals. It is the case of the Bank, that they had to pay out the amounts in question to these depositors.

19. It would appear, that the Bank enlisted the aid of an Hand-writing Expert, Shri G. C. Veerappa, and that the Expert wanted samples of the writings of Shri S. Nagesh Kamath as also of other employees employed in the Branch for comparison. Ext. M/21 is a sample of writing of Shri S. N. Kamath, both in English

and Kannada. Ext. M/22 is a sample of the writing of Shri S. Anantha Nayak, and Ext. M/23 is that of Shri Sequera. Ext. M/24 contains the hand-writing of Shri K. D. Nayak, Ext. M/25 of Shri U. R. Acharya, Ext. M/26 of Shri B. R. Kamath, and Ext. M/27 of Shri G. A. Shanbhogue. Ext. M/28 contains the writing of Shri K. Sanjiva Shetty, who was a peon, and who was originally suspected to have been responsible for the forgery. Ext. M/29 contains the hand-writing of Shri K. Thukrappa, another peon. Ext. M/30 is a document in the hand-writing of Shri K. Rama, a personal servant of the Manager. The opinion of Shri Veerappa is contained in Exts. M/31-36, and he came to the conclusion, that the disputed withdrawals had all been written and signed by the same hand, namely, by Shri Kamath.

20. There was a domestic enquiry held by the Bank, and Shri R. K. Ghotgalkar was the Enquiry Officer. Ext. M/37 has been filed to show, that the Enquiry Officer gave inspection of documents that were relied upon by the management, and particular attention is drawn to the fact, that Shri T. S. Pai, the defending Advocate, informed the Enquiry Officer, that he had completed the examination of the documents. Ext. M/40 is the statement of Shri Kamath before the enquiry started. This has been relied upon for showing, that Shri Kamath admitted therein, that the missing withdrawal slip dated 15th December, 1958, was kept in the Storvel cup-board, and was locked by him, that the keys of the said cup-board were with him, and the Manager, and that the next day he informed the Manager of the above suspicious withdrawal, that he got the bundle from the Storvel cup-board, and then he found, that the said slip was missing. Ext. M/44 is the petition, that was filed by Shri Kamath, in which a request was made for copies of all documents. The order of the Enquiry Officer is Ext. M/45. The enquiry was adjourned, and the workman was asked to give a list of documents. Ext. M/46 is the list of documents, that was given. Ext. M/47 is the order of the Enquiry Officer. The Enquiry Officer stated, that it was not the practice to grant copies of the documents in advance, that the defence counsel had been given inspection of documents, and that was merely an attempt to prolong the enquiry. Ext. M/49 is the record of enquiry, and it shows, that a number of persons were examined on behalf of the Bank, and that they were elaborately cross-examined on behalf of the workman by the defence counsel. Among the witnesses, who were examined, were Sarvashri Nayak, Sequera, Sanjiva, Shanbogue, and others. It is relevant to note, that Ext. M/52 contains the deposition of Shri Veerappa, the Hand-writing Expert, and that he was cross-examined at length by Shri Pai. Ext. M/56 is the statement of Shri Kamath. Shri Kamath mentioned at the end of his statement as follows:—

"I have nothing more to say. I do not wish to examine any witness."

It will appear, that written arguments were filed by the defence counsel, and Ext. M/57 is a copy of the same. The Enquiry Officer gave the report, Ext. M/61. Ext. M/58 is a communication, that was sent to the workman, intimating, that it had been found after enquiry, that he was guilty of the mis-conduct, with which he had been charged, that appropriate punishment had to be imposed upon him, and that he would be given a hearing to enable him to make his submissions, if any, regarding the punishment to be imposed upon him. Ext. M/60 is the statement filed by Shri Kamath, dated the 18th November, 1960, asserting, that it was wrong to say, that the charges against him were proved, and that if he was dismissed from the service of the Bank, he would be constrained to take legal steps. The matter was placed before the Supervising Director, as seen from Exts. M/62 and 63. Ext. M/64 is the order of dismissal. Ext. M/65 is the Service Code of the Bank. It may be noted, that in Ext. M/63 it was mentioned, that permission would be sought from the National Industrial Tribunal, before whom the dispute was pending.

21. The contention raised before me on behalf of the Bank is, that the approval asked for, should be granted. It is urged, that in a petition under Section 33(2)(b) it is only necessary to see, whether there is a *prime facie* case for granting the approval asked for, and that there is ample material on record, from which it can be concluded, for the purpose of this petition that there is a *prime facie* case for granting the necessary approval. It is laid down by the Supreme Court in the Punjab National Bank Limited (1959 XVII F.J.R. 199), that, where an application is made by the employer for requisit permission under Section 33, the jurisdiction of the tribunal in dealing with such an application is limited. It has to consider, whether a *prime facie* case has been made out by the employer for the dismissal of the employee in question. If the employer has held a proper enquiry into the alleged mis-conduct of an employee, and if it does not appear, that the proposed dismissal of the employee amounts to victimisation, or unfair labour practice, the tribunal has to limit its enquiry only to the question as to whether a *prima facie* case has been made out or not. In these proceedings, it is not open to the tribunal to consider, whether the order proposed

to be passed by the employer is proper or adequate, or whether it eris on the side of excessive severity. It has merely to consider the *prima facie* aspect of the matter, and either to grant the permission or refuse it, according, as it holds, that a *prima facie* case is or is not made out by the employer. In Bangalore Woollen, Cotton and Silk Mills Co Ltd Vs B Dasappa (1960 XVIII FJR 93) the Supreme Court observed as follows—

"The settled position in law, therefore is, that permission should be refused if the Tribunal is satisfied that the management's action is not *bona fide* or that the principles of natural justice have been violated or that the materials on the basis of which the management came to a certain conclusion could not justify any reasonable person in coming to such a conclusion. In most cases it will happen where the materials are such, that no reasonable person could have come to the conclusion as regards the workman's mis-conduct, that the management has not acted *bona fide*. A finding that the management has acted *bona fide* will ordinarily not be reached if the materials are such that a reasonable man could not have come to the conclusion which the management has reached. In every case, therefore, it would be proper for the Tribunal to address itself to the question, after ascertaining that the principles of natural justice have not been violated, whether on the materials on which the management has reached a conclusion adverse to the workman, a reasonable person could reach such a conclusion."

In Martin Burn Limited Vs R N Banerjee (1958 I LLJ 247), it was laid down by the Supreme Court, that a *prima facie* case does not mean a case proved to the hilt, but a case, which can be said to be established, if the evidence, which is led in support of the same, were believed. While determining, whether a *prima facie* case has been made out, the relevant consideration is, whether on the evidence led, it was possible to arrive at the conclusion in question, and not, whether that was the only conclusion which could be arrived at on that evidence. Applying the principles laid down above, I am of opinion, that there is a *prima facie* case made out against the workman on the material on record for granting the approval, asked for. The report of the Enquiry Officer deals with the various documents, that have been produced in support of the contention of the management. The evidence that has been adduced, has been accepted by the Enquiry Officer, and the conclusion reached by him is one which could be reached by a reasonable person on that evidence. The argument on behalf of the workman, that there was no proper enquiry, cannot be supported on the material, that have been placed in this petition. On the contrary it will appear, that even though the workman was not entitled to be defended by an Advocate, necessary permission was granted to enable him to be defended by an Advocate. A perusal of the record of enquiry shows, that there was elaborate cross-examination of the various witnesses, examined on behalf of the management. It has however been argued, that no reliance can be placed on the Hand-writing Expert's conclusion. The Enquiry Officer has placed reliance on the same, and it cannot be held, that it was wrong for him to do so. The criticism that only Shri Kamath's writing was sent to him for comparison and not of other employees of the Branch, is without force, in view of Exts M/41-43. These are relied upon for the purpose of showing, that all the writings, that were taken down, were sent to him. On the material on record, there is no room for holding that there was no proper enquiry. It was possible for the Enquiry Officer to come to the conclusion, which he did on the material on record. Even applying the test, as laid down in Lord Krishna Textile Mills (1961 I LLJ 211), all that the authority granting approval under Section 33(2)(b) can do is to enquire whether the conditions prescribed by Section 33(2)(b) and the proviso are satisfied or not. Do the standing orders justify dismissal? Has an enquiry been held as provided by the standing orders? Have the wages for a month been paid as provided by the proviso, and has the application been made, as prescribed by the proviso? The appropriate authority, dealing with such approval application, cannot examine the facts as an appellate court. The question, about the adequacy of evidence or its sufficiency, or satisfactory character, can be raised in a court of fact, and may fall to be considered by an appellate court, which is entitled to consider facts, but these considerations are irrelevant, where the jurisdiction of the court is limited as under Section 33(2)(b). It is conceivable, that, even in the holding of an enquiry under Section 33(2)(b), if the authority is satisfied, that the finding recorded at the domestic enquiry is perverse in the sense, that it is not justified by any legal evidence whatever, only in such a case it may be entitled to consider whether approval should be accorded to the employer or not. But it is essential to bear in mind the difference between a finding, which is not supported by any legal evidence and a finding, which may appear to be not supported by sufficient or adequate, or satisfactory evidence. On the facts of the present case, it is clear, that no

principles of natural justice have been violated. There is no point in the criticism, that the workman was not permitted to examine any witness, when he himself stated, that he did not want to examine any witness, and that he had nothing more to say, as referred to already in Ext. M/56. There was a fair and proper enquiry in accordance with the principles of natural justice, and the Enquiry Officer has come to the finding on the material on record, that the charge of mis-conduct was proved against the workman. There are no satisfactory grounds for holding, that the action taken by the management is not *bona fide*, or that it amounts to an act of unfair labour practice, or victimisation. On an examination of the enquire record, I find, for the purpose of this petition, that there is a *prima facie* case for granting the approval, asked for.

22. In the result, the following order is passed:—

- (i) In O.P. No. 45 of 1961, approval is granted to the action taken by the management against Shri Shibrur Nagesh Kamath, as prayed for and there will be no order as to costs.
- (ii) The petition under Section 33A of the Industrial Disputes Act (I.D. No. 199 of 1961) is dismissed, but without costs, and an award is passed accordingly.

(Fourteen pages)

(Sd.) E. KRISHNA MURTI,

The 13th July, 1961.

Central Government Labour Court, Delhi.

[No. 55(14)/61-LRIV.]

ORDERS

New Delhi-2, the 3rd August, 1961

S.O. 1919.—In exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby makes the following amendment to the order of the Government of India in the Ministry of Labour and Employment S.O. No. 1190, dated the 19th May, 1961, namely:—

In the said Order, in the Schedule—

- (i) for the figures, word and brackets "12(twelve)" the figures, word and brackets "13(thirteen)" shall be substituted; and
- (ii) after entry 12, the following entry shall be inserted, namely:—
"13. Rajkot".

[No. 10(82)/60-LRIV.]

New Delhi, the 5th August 1961

S.O. 1920.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Madras Dock Labour Board, Madras, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Central Government hereby constitutes an Industrial Tribunal with Shri K. Ramaswami Gounder as the Presiding Officer, with headquarters at Madras, and refers the said dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

- (1) Whether a flat payment of Rs. 5/- per month by way of interim allowance should be paid to piece and daily rated workers of the Madras Dock Labour Board;
- (2) If so, whether it should be paid with retrospective effect from 1st July 1957

[No. 28/32/61/LRIV.]

G. JAGANNATHAN, Under Secy.

New Delhi, the 5th August 1961

S.O. 1921/PWA/Sec./7/(2)(c)/61.—In pursuance of clause (e) of sub-section (2) of section 7, read with section 24, of the Payment of Wages Act, 1936 (4 of 1936), the Central Government hereby authorises deductions from the wages of employees of all coal-mines for the supply of footwear on the recommendations of the Miners' Boots Committee set up for implementing the Award of the All India Industrial Tribunal (Colliery Disputes). The deductions shall be subject to the following conditions hereby imposed under section 11 of the said Act, namely:

- (i) that no deductions shall be made from the wages of an employed person unless he has communicated his acceptance in writing to deduction, such acceptance being given once generally and not necessarily on each occasion a deduction is made;
- (ii) that the employer will recover from the employees only 50% of the cost of the footwear supplied to them in easy instalments and the amount of each instalment shall not exceed Rs. 3/- in the case of a weekly paid employee or Rs. 12/- in the case of a monthly paid employee; and
- (iii) that all deductions shall be shown in a separate column of the Wage Register required to be maintained by the employer under the payment of Wages (Mines) Rules, 1956.

[No. 540(60)/61-Fac.]

P. D. GAIHA, Under Secy.

New Delhi, the 7th August 1961

S.O. 1922.—In exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby makes the following scheme further to amend the Calcutta Unregistered Dock Workers (Regulation of Employment) Scheme, 1957, the same having been previously published as required by the said sub-section, namely:—

1. This scheme may be called the Calcutta Unregistered Dock Workers (Regulation of Employment) Amendment Scheme, 1961.

2. After clause 9 of the Calcutta Unregistered Dock Workers (Regulation of Employment) Scheme, 1957, hereinafter referred to as the said Scheme, the following clauses shall be inserted, namely:—

"9-A Classification of workers in the list.

(1) The Board shall arrange for the classification of workers by categories in the list and prepare and maintain a separate sub-list of workers for each of the categories or sub-categories referred to in sub-clause (2). The names of workers in each sub-list shall be so arranged that the names of workers under each listed employer are grouped together for the purpose of facilitating their employment under the second proviso to sub-clause (2) of clause 9-B.

(2) Dock workers listed under the Scheme shall be classified into the following categories, namely:—

- (a) Chipping workers,
- (b) Painting workers,
- (c) Baggers,
- (d) Stitchers,
- (e) Salt workers,
- (f) Workers employed on vessels for coal stevedoring and coal bunkering work.

The Board may, if considered necessary for the efficient performance of work, further classify the workers of any category into sub-categories.

9-B Pool of listed workers.

(1) Each sub-list of workers prepared under sub-clause (1) of clause 9-A, shall constitute a pool of workers for the category or sub-category, if any, as the case may be, to which the said list relates.

(2) The listed workers in each pool shall be allotted work by rotation as far as practicable;

Provided that where work is carried on by a gang, the allotment of work by rotation shall be by gangs;

Provided further that each listed employer shall be entitled to employ his monthly workers and the workers listed in his group in preference to other listed workers in the pool.

9-C Association of listed employers.

In respect of each pool of workers, the listed employers, having their own workers in that pool, shall form themselves into an Association. The Association shall be responsible for complying with the provisions of sub-clauses (1) and (3) of clause 9-D and sub-clause (5) of clause 11.

9-D Common call point for listed workers.

(1) Each Association of employers shall prescribe a common call point for the workers in the pool with which the Association is concerned.

(2) The listed workers of each pool shall report at the call point prescribed for their pool in accordance with such directions as may be issued by the Association from time to time.

(3) The Association shall make adequate arrangements:—

- (i) for the reporting of listed workers at the call point in accordance with sub-clause (2);
- (ii) for allotment of work by rotation in accordance with sub-clause (2) of clause 9-B;
- (iii) for making direct payment of wages and allowances in accordance with sub-clause (4) of clause 11;
- (iv) for such other incidental and supplementary matters as may be necessary or expedient.

9-E Special provisions for baggers.

(1) The baggers shall be employed in gangs, each gang consisting of four workers.

(2) Each gang of baggers allotted work shall be supplied by the Association with a certificate of their output at the end of the shift in which the gang worked.

3. In clause 11 of the said Scheme:—

(i) for sub-clause (3), (5) and (8), the following sub-clauses shall respectively be substituted, namely:—

“(3) A listed employer shall prepare at the end of each month a statement separately for each category or sub-category, if any, as the case may be, of listed workers employed by him, showing the number of days for which each worker was employed by him and the payments made to each worker.

(5) At the end of each month a listed employer shall make a summary of the monthly statements referred to in sub-clause (3) and submit it to the appropriate Association of listed employers within a fortnight of the commencement of the next month. The Association shall consolidate the statements received from the individual listed employers and after checking them to the extent possible forward a consolidated statement to the Board before the expiry of the month following that to which the statement relates. Each listed employer shall also maintain such registers and records as the Board may require and submit them along with any other return and information as may be required by it through the appropriate Association, which shall consolidate them and then forward to the Board. All registers, records and returns shall be made available for inspection by the officers of the Board whenever required.

(8) Subject to the provisions of sub-clause (2) of clause 9-B, a listed employer shall not engage a worker of the category or sub-category, if any, referred to in sub-clause (2) of clause 9-A who is not listed.

so long as a worker of the same category or sub-category is available for employment in the pool. If the number of workers in the pool is not sufficient for the work available the employer may employ to the extent possible the workers available for work in any other pool or pools, provided that such workers are considered suitable by the employer, and if there is no such suitable worker, the employer may employ unlisted workers."

(ii) Sub-clause (9) shall be omitted.

4. For paragraph (a) of sub-clause (3) of clause 12, the following paragraph shall be substituted, namely:—

"(a) report at the common control point in accordance with sub-clause (2) of clause 9-D; and"

5. In clause 13 of the said Scheme for the word and figure "clause 1", the words, brackets and figures "clause 1 and sub-clause (8) of clause 11" shall be substituted.

6. In sub-clause (4) of clause 14, of the said Scheme for the words "by whom that workers is employed", the words "with whom that worker is listed" shall be substituted.

[No. 529(11)/61-Fac.]

B. K. BHATTACHARYA, Dy. Secy.

New Delhi, the 8th August 1961

...

S.O. 1923.—Whereas the Central Government is satisfied that the employees of the Senior Electrical Engineer's Test Rooms, Calcutta, belonging to the Posts and Telegraphs Department under the control of the Ministry of Transport and Communications, are otherwise in receipt of benefits substantially similar or superior to the benefits provided under the Employees' State Insurance Act, 1948 (34 of 1948);

Now, therefore, in exercise of the powers conferred by section 90 of the said Act, the Central Government hereby exempts the said factory from all the provisions of the said Act for the period upto and inclusive of the 31st January, 1962, or till a decision is taken on the recommendation of the Second Pay Commission in regard to provision of medical facilities to the industrial Staffs of the Central Government and their families, whichever is earlier.

[No. F. HI-6(53)/60.]

BALWANT SINGH, Under Secy.

CENTRAL BOARD OF REVENUE

INCOME-TAX

New Delhi, the 8th August 1961

S.O. 1924.—In exercise of the powers conferred by sub-section (4) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Board of Revenue hereby makes the following further amendments in its Notification S.O. 660 No. 35-Income-tax dated the 22nd April, 1958, namely:—

In the Schedule annexed to the said Notification under the sub-head "VIII-Delhi and Rajasthan" against—

'B' New Delhi: The existing items "2 and 7" shall be deleted and the existing entries 3, 4, 5, 6, 8, 9 and 10 shall be renumbered as 2, 3, 4, 5, 6, 7 and 8;

'C' New Delhi: (1) For the existing item 3 the following words and figures shall be substituted:—

"Central Circles I, II, III and IV, New Delhi".

(2) After the existing entry '8' the following entry shall be added, namely:—

"9. C-I, C-I(I), C-II & C-III Districts, New Delhi".

This Notification shall have effect from the 14th August 1961.

Explanatory Note

NOTE.—The amendments have become necessary on account of the reorganisation of the appellate Assistant Commissioners' Ranges in the charge of the Commissioner of Income-tax, Delhi and Rajasthan, New Delhi.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 52 (F. No. 50/10/61-IT)]

S.O. 1925.—In exercise of the powers conferred by sub-section (6) of Section 5 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Board of Revenue hereby makes the following further amendments in the schedule annexed to its notification No. 44-Income-tax dated the 1st July 1952:—

In the said schedule after the existing item 78(u), the following item shall be inserted:

1	2	3	4	5	6
78(v)	If the application is made to the I.T.O., Foreign Section, Coimbatore.	I.T.O., Foreign Section Coimbatore.	I.A.C., Coimbatore Range, Coimbatore.	A.A.C., Coimbatore Range, Coimbatore	C.I.T. Madras

[No. 53 (F. No. 55/126/61-IT).]

CORRIGENDUM

New Delhi, the 8th August 1961

S.O. 1926.—In the Board's Notification No. 40 dated 3rd July 1961 published as S.O. 1567 on page 1506 of the Gazette of India dated 8th July 1961, 'Special Survey Circle III' appearing as item 15 shall be deleted and subsequent entries shall be renumbered as 15, 16 and 17.

In the Board's order No. 42 dated 3rd July 1961 published as S.O. 1569 on page 1508 of the Gazette of India dated 8th July 1961 'Special Survey Circle IV' appearing as item 19 shall be deleted and the subsequent entries shall be renumbered as 19 and 20.

[No. 54 (F. No. 55/1/61-IT).]

D. V. JUNNARKAR, Under Secy.

